

**MINUTES OF THE CONFERENCE CALL MEETING**

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art  
March 1, 2021

**1. ROLL CALL**

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Vice-Chair, Pam Rowland, at 10:31 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level Conference Room B, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 2.19.2021.

**Members Present (8):**

The following members answered roll call:

Matt Bavougian, Member (on phone)  
Vicki Criswell, Member (on phone)  
Jacqueline Hornig, Secretary (on phone)  
Ruth Lucas, Member (on phone)  
Marie Nordboe, Member (on phone)  
Becky Pettigrew, Member (on phone)  
Pamela Rowland, Vice-Chair (on phone)  
Harold "Buddy" Sims, Member (on phone)

**Members Absent (3):**

Bridget Anderson, Chair  
Shannon Bingham, Member  
Brandy Phillips, Member

**Others Present in Conference Room:**

Kris Chiles, Program Manager, Licensure Unit  
Natalee Hart, Assistant Attorney General

**Others Present on Call:**

Anna Harrison, DHHS Compliance Monitor  
Rachel O'Toole, DHHS Attorney

A quorum was present and the meeting convened.

**2. ADOPTION OF AGENDA**

**MOTION:** Pettigrew moved, seconded by Criswell, to adopt the agenda. A voice vote was taken. Voting aye: Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (8). Voting nay: None (0). Absent: Anderson, Bingham, Phillips (3). Vacant positions (2). Motion carried.

**3. APPROVAL OF MINUTES**

**MOTION:** Nordboe moved, seconded by Lucas, to approve the 1.11.2021 minutes. A voice vote was taken. Voting aye: Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (8). Voting nay: None (0). Absent: Anderson, Bingham, Phillips (3). Vacant positions (2). Motion carried.

10:37 a.m. Brandy Phillips, Member entered the meeting room

**MOTION:** Nordboe moved, seconded by Sims, to approve the 2.1.2021 minutes with a correction. A voice vote was taken. Voting aye: Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (9). Voting nay: None (0). Absent: Anderson, Bingham (2). Vacant positions (2). Motion carried.

#### **4. COVID-19: Executive Orders and Directed Health Measures**

<https://dhhs.ne.gov/licensure/Pages/Cosmetology-and-Esthetics.aspx>

Members provided updates relating to each of their counties.

#### **5. UPDATES/FOLLOW-UP:**

10:40 a.m. Break  
10:45 a.m. Meeting resumed  
10:55 a.m. Bridget Anderson, Chair, entered meeting room

a. 2021 Legislation:

- LB 19: Provides for a new definition of "nail technology" which includes natural nail care, defines "pedicuring," and allows for licensure of nail technology apprentice salons. Creates a license for "Temporary Body Art Facility" and "Body Art Guest Artist", and updates the definition for cosmetic tattooing. LB 19 also allows for all practices licensed under the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art to take their respective licensing exam in multiple languages.

Rowland reported they need copies of industry letters and she was waiting for updated information from Senator Kolterman's office.

**MOTION:** Hornig moved, seconded by Sims, to approve the Board's letter of support for LB 19 to the Health and Human Services Committee. A voice vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

Rowland will forward the letter to the Committee.

- LB 422 includes licensees and unlicensed services such as natural hair braiders, but excludes massage therapy. Hearing held 2.3.2021.

11:00 a.m. Trevor Klaassen and Mark Meyerson, DHHS investigators entered the call

b. Jurisprudence Examination Re-Write

Work needs to be done to update the jurisprudence examination to match the regulations; members will start their review.

c. Statistics: Examinations, Licensing, Administrative Penalties, and Disciplinary/Non-Disciplinary Information

Statistics deferred to next meeting.

#### **6. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION**

**MOTION:** Pettigrew moved, seconded by Rowland, to enter into closed session at 11:11 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Anderson repeated the motion and purpose. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

11:11 a.m. O'Toole exited the call  
11:25 a.m. Klaassen and Meyerson exited the call  
12:03 p.m. Criswell exited the call (conflict of interest)  
12:08 p.m. Criswell re-entered the call

12:22 p.m. Hart exited the room  
12:24 p.m. Phillips exited the room  
12:24 p.m. O'Toole entered the call  
12:28 p.m. Phillips re-entered the room

## **7. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION**

12:49 p.m. Verbal agreement from all board members to enter into open session; Hart entered the meeting room

### **Conviction Reviews**

#### **Vanessa Brown: Tattoo Artist - Initial**

**MOTION:** Nordboe moved, seconded by Criswell, to recommend a 1-year probation, with the following terms and conditions: Quarterly employer reports and the Standard Terms and Conditions of probation. Basis: Conviction. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Nordboe, Pettigrew, Phillips, Rowland, Sims (9). Voting nay: Lucas (1). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Luis Castellanos: Cosmetology - Reinstatement**

**MOTION:** Nordboe moved, seconded by Criswell, to recommend a 6-month probationary reinstatement with the following terms and conditions: Successfully complete the jurisprudence examination and the Standard Terms and Conditions of probation. Basis: Conviction History, Failure to Disclose Convictions, and practice after expiration. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Anita Hinkle: Esthetician - Initial**

**MOTION:** Criswell moved, seconded by Nordboe, to recommend a 2-year probation with the following terms and conditions: Abstain from alcohol/controlled substances, Random body fluid screens, Comply with all treatment recommendations and those in the future, Quarterly employer reports, Successfully complete the jurisprudence examination, and the Standard Terms and Conditions of probation. Basis: Conviction history, fail to disclose 2 convictions, and diagnosis. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Nordboe, Pettigrew, Phillips, Rowland, Sims (9). Voting nay: Lucas (1). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Crystal Landers: Tattoo - Initial**

**MOTION:** Nordboe moved, seconded by Criswell, to recommend a 6-month probation with the following terms and conditions: Successfully complete the jurisprudence examination and the Standard Terms and Conditions of probation. Basis: Conviction History, and Failure to Disclose Convictions. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Crystal Lichtenberger: Cosmetologist – Initial**

**Motion:** Pettigrew moved, seconded by Lucas, to recommend issuance of the license. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Shane McManamon: Tattoo Artist – Initial**

**Motion:** Bavougian moved, seconded by Nordboe, to recommend issuance of the license. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Christopher Nelson: Tattoo Artist – Initial**

**Motion:** Pettigrew moved, seconded by Nordboe, to recommend issuance of the license. A roll call vote was taken. Voting aye: Anderson, Bavougian, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (9). Voting nay: None (0). Abstain: Criswell (1). Absent: Bingham (1). Vacant positions (2). Motion carried.

#### **Duane Phillips: Cosmetology - Initial**

**MOTION:** Lucas moved, seconded by Hornig, to recommend a 6-month probation with the following terms and conditions: Successfully complete the jurisprudence examination and the Standard Terms and Conditions of probation. Basis: Conviction History and Failure to Disclose all Convictions. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

**Angel Poore: Nail Technology - Initial**

**MOTION:** Rowland moved, seconded by Pettigrew, to defer the recommendation and request additional information. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

**Elizabeth Van Hal: Cosmetology - Initial**

**MOTION:** Nordboe moved, seconded by Pettigrew, to defer the recommendation and request additional information. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2).

**Miguel Tapia: Tattoo Artist – Initial**

**Motion:** Nordboe moved, seconded by Criswell, to recommend issuance of the license. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

**Reinstatement after Discipline Reviews**

**Amanda (Villalon) Kelley: Cosmetologist - Reinstatement (early release from probation)**

**MOTION:** Criswell moved, seconded by Nordboe, to recommend denial of reinstatement due to insufficient documentation to support early release from probation. A roll call vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

**8. ADJOURNMENT**

Anderson announced the next meeting is scheduled on 4.12.21 as a conference call and declared the meeting adjourned at 1:02 p.m.

Submitted,

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Jackie Hornig, Secretary

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by Licensure Unit